

ing could be worse than political control, but with the phenomenal spread of subsidy control of medical education, medical practice and public health into the hands of a few men representing Foundations, and as the dangers of this method become more palpably apparent, many are beginning to wonder what the end will be.

Many organizations, institutions and movements have cheerfully invited subsidy and are continuing to do so without looking beyond the immediate future.

Some recent developments in the gilded fields of subsidy are likely to focus attention on the whole problem. In several instances, misguided philanthropists have offered generous subsidies to institutions in California under the conditions that they provide departments for some cult. We do not know of an instance where such throttling conditions have been accepted. The offers in some instances have attractive coatings designed to deceive. Donations and subsidies look attractive, but in both instances it is well to look carefully at the "strings" before accepting one.

### THE HOSPITAL CONVENTION

The Second Annual Convention of the Hospitals of California was held at the Maryland Hotel, Pasadena, September 5, 6, 7 and 8, under the auspices of the League for the Conservation of Public Health. The slogan of the convention was that of the hospital betterment work of the League.

"To promote and maintain more and better hospitals wherein educated physicians may render better service to every citizen of every community of California."

From whatever angle viewed, the convention was a striking success. Over three hundred hospitals were represented by over eight hundred delegates and other interested persons. The program as printed was carried out with but few minor changes, and the audience remained intensely interested and even enthusiastic throughout the four days of almost constant discussion. The policy initiated last year at the First Annual Convention was maintained, by which written papers were avoided and the discussion of problems of vital interest to hospital people was substituted.

Both the commercial and scientific exhibits of the convention were of a very high order, instructive and useful.

A number of important resolutions were passed and these, together with a full discussion of the convention, will be published in full in the next number of "Better Health."

The Council of the State Medical Society held two meetings at the same time and place, and there was one meeting of the Council with the officers of the various county medical societies and the section officers of the State Society.

### THE ENLARGED JOURNAL

With this issue the JOURNAL enters another stage of development by the addition of 16 more pages, thus increasing the size from 100 pages to 116 pages. This improvement has been made possible by increased advertising and increased subscriptions. Suggestions for further improvement are invited from members and subscribers.

**Are Physicians Required to Report All Accidents to the Industrial Accident Commission?** (Opinion by Hartley F. Peart, Chief Counsel State Medical Society.)—Some time ago physicians were informed by the Industrial Accident Commission that they were required by law to report all accidents attended by them to the Commission. The Council of the State Society asked Chief Counsel Peart for an opinion as to the legal right of the Industrial Accident Commission to impose this extra work on physicians. Mr. Peart's opinion is as follows:

"Referring to your request for an opinion as to whether or not the Industrial Accident Commission of California is authorized by law to require physicians to report the details of all accident cases which they may be called upon to attend, I beg to advise:

"That Section 21 of the Constitution as amended November 5, 1918, authorizes the Legislature to create and enforce a complete system of workmen's compensation and to create and enforce liability on the part of all persons to compensate any of their workmen for injury or disability incurred or sustained by the workmen in the course of their employment.

"Pursuant to such constitutional authorization the Legislature has passed various Acts. The present Workmen's Compensation, Insurance and Safety Act in its introductory section states that it is intended to make effective and supply a complete system of workmen's compensation, using substantially the language of the Constitution in reference to injuries and disabilities 'incurred by employees in the course of their employment.'

"'Injury' as used in the Act is defined to mean any injury or disease arising out of the employment.

"The compensation provisions of the Act refer to any injury sustained by the employee arising out of and in the course of the employment, and it is clear that the injuries and disabilities referred to in the Constitution and the Statute are only those of employees in the course of their employment.

"In Section 16 of the Act it is provided that 'any physician who shall make or be present at any such examination (an examination where the right to compensation exists in favor of any employee) may be required to report or testify as to the results thereof.

"In Section 19 relating to evidence, it is provided that in the case of the death of an employee 'the Commission may require an autopsy, and the report of the physician performing such autopsy may be received in evidence.'

"Under the safety provisions of the Act and in Section 53A, it is provided that 'every employer of labor, without any exception, and every insurance carrier and every physician or surgeon who attends any injured employee, is required to file with the Commission under such rules and regulations as the Commission may from time to time make a full and complete report of all injuries to an employee arising out of or in the course of his employment,' etc.

"From the foregoing, I conclude that the Commission is not authorized by law to require reports of physicians and surgeons as to every case of accidental injuries or accidental death, which a physician or surgeon may attend. If the circumstances were such as to raise the question as to whether or not the person so attended was injured or killed in the course of employment, then a report should be made promptly, but your question as I understand it, is based upon a blanket notice addressed by the Commission to all physicians requiring them to report fully on all accident cases attended by them. In my opinion, the Commission has not the authority to require such universal reports, in all accident cases for the reasons above stated."